

*Response to Office Action*  
*U.S. Application Serial No. 10/773,481*

### **REMARKS**

Claims 1-5, 10, 11, 18-19 and 26-27, 29-35 and 37, as amended, and new claim 38 are currently pending for the Examiner's review and consideration. New claim 38 is represented previously canceled claim 17 reflecting the new language of amended claim 1. Claims 28 and 36 have been canceled without prejudice to the subject matter reflected therein. No new matter has been added by these amendments and Applicant respectfully requests their entry into the record of the above-captioned application.

### **EXAMINER INTERVIEW**

The courtesy extended by the Examiner to the Applicant's representatives at the Interview on 24 April 2006 is greatly appreciated. Applicant appreciates that, after discussing the cited references, the Examiner indicated that the claims would be given favorable consideration if Applicant positively defines the datum origin as facilitating interchangeability of a plurality of host devices along with remarks discussing such interchangeability.

### **THE REJECTION UNDER 35 U.S.C. § 102(E) SHOULD BE WITHDRAWN**

Claims 1-5, 10, 17-19, and 26-37 are rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,828,049 A2 to Bullock *et al.* ("Bullock '049"), for the reasons set forth on pages 2-3 of the Office Action. Claims 1, 32 and 37 have been amended to clarify the invention thereof with respect to the cited art. Support for these amendments can be found in at least Figures 2a-2d, 11, 12b, and 13a-b and the associated discussion of these figures in the present specification. As amended, these claims are patentable over the cited art.

As discussed in the 24 April 2006 Interview, the datum origin is a reference point in from which all functional elements on the fuel supply are measured, *e.g.*, the origin of a datum coordinate system. For example, the fuel supply datum origin may be *inter alia* a functional element given "true position", a very accurate positional location, with the position of all other functional elements measured from the true position point to a given tolerance. The datum origin is matched to a corresponding datum origin on each of a plurality of host devices from which the functional elements on each of the plurality of host devices is measured. The use of corresponding reference points or datum origins on the fuel supply and the plurality of host devices facilitates the use of the fuel supply with any of the plurality of host devices. In other words, the use of corresponding datum origins on the fuel supply and the host devices allows for easy interchangeability of the fuel supply between any

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number of host devices, as the functional elements will align regardless of the place or time of manufacture of the fuel supply and/or any of the host devices. The mechanical keying system shown in Bullock '049 does not and cannot act as a datum origin for ease of interchangeability, as the side guide rails and slots are simply preguides for ease of insertion.

As claims 1, 32 and 37 as amended require the datum origin facilitates interchangeability of the fuel supply with respect to the plurality of host devices, Bullock '049 does not anticipate claims 1, 32 and 37.

Furthermore, in addition to the above and also as discussed in the 24 April 2006 Interview, Applicant respectfully submits that Bullock '049 does not teach or disclose an adapter as a separate component for connecting a fuel supply to a host device as recited in amended independent claim 32. Bullock '049 discloses a fuel cartridge configured to be directly inserted into a housing socket. *See* Bullock '049, col. 4, lns. 1-3. Applicant respectfully submits that the anticipation rejection of claims 32-36 be withdrawn.

Hence, Applicant respectfully submits that the anticipation rejection of claims 1-5, 10, 17-18, and 26-37 be withdrawn. Claims 2-5, 10, 18-19, 26-27, 29-31 and 38 depend on allowable claim 1 and recite further limitations therefrom, and claims 33-35 depend on allowable claim 32 and recite further limitations therefrom. Hence, these claims are allowable based on their dependency. Applicant reserves the right to support the patentability of these dependent claims should that become necessary.

**THE REJECTION UNDER 35 U.S.C. § 103(A) SHOULD BE WITHDRAWN**

Claim 11 was rejected under 35 U.S.C. § 103(a), as being obvious over Bullock '049, in view of U.S. Patent Application Publication No. 2003/0082427 A1 to Prasad *et al.* ("Prasad '427"), for the reasons set forth on pages 3-4 of the Office Action. Claim 11 depends on allowable claim 1, and recite further limitations therefrom. Hence claim 11 is allowable based on its dependency. Applicant reserves the right to support the patentability of claim 11 should that become necessary.

**THE RESTRICTION REQUIREMENT SHOULD BE LIFTED**

In the Restriction Requirement dated 12 April 2005, the Examiner noted that claims 1 and 32 are generic. As claims 1 and 32 are allowable as discussed above, Applicant respectfully requests that the Restriction Requirement be lifted, that all claims withdrawn due to the Restriction Requirement be considered in the present application, and that Applicant be permitted to amend those claims to reflect the language of the amended independent claims.

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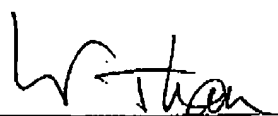
**CONCLUSION**

In light of the preceding, Applicant respectfully submits that the presently pending claims are in condition for allowance, early notice of which would be greatly appreciated. The Examiner is invited to telephone the undersigned attorney of record if he believes that such a call would materially advance the prosecution and eventual allowance of the present application.

Enclosed herewith is a petition for a two-month extension of time to reply to the office action and the appropriate fee, \$450.00. Applicant believes that no additional fees are due in connection with the submission of this Response. If any fees are due, however, Applicant hereby authorizes the Commissioner to charge the appropriate fees to The H.T. Than Law Group, Deposit Account No. 50-1980.

Respectfully submitted,

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